

REMARKS

Reconsideration of this application is respectfully requested.

This application has been review in light of the Office Action dated September 8, 2004. Claims 1-18 are currently pending in the application.

In the Office Action, the Examiner has rejected Claims 1-18 under 35 U.S.C. §103 (a) as being unpatentable over the *Applicant's Admitted Prior Art (AAPA)* in view of *Molnar et al.* (U.S. 5,691,922) and *Sarkar et al.* (U.S. 6,671,851).

As previously presented, each of independent Claims 1, 4, and 7 recite repeating the sequence of code symbols t times ($t = \left\lfloor \frac{N}{r} \right\rfloor + 1$). The Examiner previously recited the AAPA (page. 4, line 16) as teaching this recitation. Now the Examiner asserts that this "is merely a mathematical expression of the disclosed process and system of the combined prior art of record, and as such, the prior rejection of claims 1-18 are [sic] maintained." It is respectfully submitted that the Examiner is incorrect.

Each independent claim specifically recites that the coded symbols are repeated t times, where $t = \left\lfloor \frac{N}{r} \right\rfloor + 1$. Further, N represents the length of a codeword and r represents the length of a code symbol sequence. However, it is respectfully submitted that the AAPA in combination with *Molnar* and *Sarkar* does not teach the mathematical expression of the claims of the present application. That is, the AAPA may teach encoding by repeating, *Molnar* may teach puncturing, and *Sarkar* may teach repeating and puncturing, but none of these references, either alone or in

combination, teach performing these steps as recited by the mathematical equations of Claims 1, 4, and 7.

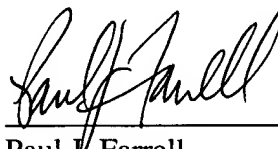
Additionally, an encoding method using a simplex code is recited in Claim 7. It is respectfully submitted that the *AAPA* in combination with *Molnar* and *Sarkar* does not teach the use of the simplex code.

Accordingly, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claims 1, 4, and 7 under 35 U.S.C. §103 (a) as being unpatentable over the *AAPA* in view of *Molnar* and *Sarkar*, and it is respectfully requested that the rejection of these claims be withdrawn.

Without conceding the patentability per se of dependent Claims 3, 5-6, and 8-15, they are likewise believed to be allowable by virtue of their dependence on Claims 1, 4, and 7, respectively. Accordingly, reconsideration and withdrawal of the rejection of dependent Claims 3, 5-6, and 8-15 is respectfully requested.

Accordingly, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any questions, it is respectfully requested that the undersigned attorney be contacted at the earliest convenience to discuss the present application. Early and favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul J. Farrell", is written over a horizontal line.

Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
TEL: (516) 228-8484
FAX: (516) 228-8516

PJF/DMO/las